

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

**KIMBERLY R. MORELL
and HUSBAND MICHAEL
MORELL,**

PLAINTIFFS

VS

**JAMES D. CLARIDA and
ROEHL TRANSPORT,
INC.**

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CASE NO.: 1:08-CV-222

DEFENDANTS

PLAINTIFFS' FINAL WITNESS LIST

Now come Kimberly R. Morell and Michael Morell, plaintiffs in the
above styled cause and file this their final witness list as follows:

1. Witnesses the plaintiffs expect to present:

a. Kimberly Morell, 138 Boynton Terrace, Ringgold, GA 30736, 706-861-1025, 423-778-5696. The plaintiff Kimberly Morell who was involved in the collision which is the subject matter of this litigation. She is expected to testify regarding the wreck, her injuries, her pain and suffering and treatment.

b. Michael Morell, 138 Boynton Terrace, Ringgold, GA 30736, 706-861-1025, 423-227-4357. Mr. Morell is the plaintiff Kimberly Morell's husband. Mr. Morell would be expected to testify as to his loss of consortium as well as the pain

the plaintiff Kimberly Morell sustained as a result of the wreck, his observation of her condition and limitations.

c. J. Chris Beaver, Chattanooga Police Department, 3410 Amnicola Highway, Chattanooga, TN 37406, 423-643-5100. Officer Beavers investigated the wreck on October 3, 2007 and prepared the Tennessee Uniform Traffic Crash Report. A copy of the report has been provided to the defendants.

d. Rebecca Provine, 16212 Providence Road, Sale Creek, TN 37373, 423-332-1718, 423-2402302. Ms. Provine is a friend of the plaintiff Kimberly and has knowledge of what the plaintiff Kimberly went through and how the wreck has affected her.

e. Patti Spangler, 134 Merry Wood Drive, Rossville, GA 30741, 423-802-1748, 423-778-5697. Ms. Spangler is a co-worker of the plaintiff Kimberly Morell and would be expected to testify concerning the amount of time the plaintiff Kimberly missed from work for doctor appointments and physical therapy as well as how the pain and the injuries have affected her at her place of employment.

f. Lenora Brodie, 24 Virginia Avenue, Rossville, GA, 30741, 423-834-4187. Ms. Brodie is the mother of the plaintiff Kimberly and is expected to testify of how the wreck and the injuries have affected the way that the plaintiff Kimberly lives and the pain that she has dealt with.

2. Witnesses the plaintiffs expect to present by deposition testimony:

a. John D. Harris, Jr., M.D., 5195 Battlefield Parkway, Ringgold, Georgia 30736; 706-937-9292. Dr. Harris is the plaintiff Kimberly Morell's treating physician and was not retained or specially employed by the plaintiffs to provide expert testimony. Dr. Harris examined the plaintiff Kimberly Morell on October 23, 2007 and January 7, 2008. Dr. Harris is expected to testify regarding his treatment of plaintiff Kimberly Morell's injuries caused by the wreck. He is expected to testify as to his evaluation, treatment, diagnosis and prognosis as well as causation observed during his treatment of plaintiff Kimberly Morell.

b. Daniel B. Kueter, M.D., The Neurosurgical Group of Chattanooga, 101 East Third Street, Suite 202, Chattanooga, TN, 37403, 423-265-2233. Dr. Kueter is a non-retained treating physician. Dr. Kueter is a neurosurgeon who examined the plaintiff Kimberly Morell on December 29, 2008 and reviewed her MRI report. He is expected to testify as to his evaluation, treatment, diagnosis and prognosis as well as causation observed during his treatment of plaintiff Kimberly Morell.

c. Charles Pray, D.C., Pray Chiropractic, 2551 Battlefield Parkway, Fort Oglethorpe, GA 30742, 706-866-8273, 706-858-7673 (fax). Dr. Pray is a doctor of chiropractic medicine is a non-retained treating doctor expert who is expected to

provide testimony regarding his examination and treatment of plaintiff Kimberly Morell, her condition and causation of the injuries he treated.

3. Witnesses the plaintiffs may call:

a. Paul Stout, D.O., Baroness Erlanger Emergency Department, 975 East Third Street, Chattanooga, Tennessee 37403, 423-778-7241. Dr. Stout was a non-retained treating physician of plaintiff Kimberly Morell at the Erlanger Emergency Department on October 3, 2007. Dr. Stout ordered four views of the cervical spine.

b. Amanda Temple, MPT, Benchmark Physical Therapy, 1480 East Third Street, Chattanooga, Tennessee 37404. Amanda Temple, MPT provided physical therapy for plaintiff Kimberly Morell. Ms. Temple may provide expert opinion as to the plaintiff's condition as observed by her during the performance of physical therapy exercises.

c. Rodney K. Hutson, Jr. M.D., Erlanger Health System, Erlanger East Imaging, 1651 Gunbarrel Road, Suite 103, Chattanooga, TN 37421, 423-778-6970. Dr. Hutson read the MRI which was performed on plaintiff Kimberly Morell on December 12, 2008. Dr. Hutson would provide expert testimony concerning the reading of the MRI report. The MRI report has previously been provided to the defendant.

d. Roger Catlin, M.D., 1012 Executive Drive, Hixson, Tennessee 37343, 423-756-7246. Dr. Catlin is the physician who will be giving the epidural injections to the plaintiff Kimberly Morell, the first of which is scheduled for January 22, 2009 and the second for February 5, 2009.

e. Paul Hoffman, M.D., 1 Siskin Plaza, Chattanooga, Tennessee 37402, 423-634-4226. Dr. Keuter referred the plaintiff Kimberly Morell to Dr. Hoffman when the epidural injections did not work. Dr. Hoffman recommended physical therapy prior to the first Botox injection which was on July 22, 2009. He then referred the plaintiff Kimberly Morell back to physical therapy which began on July 28, 2009.

f. Jan Gibson, Massage Therapist, Body Benefits Therapeutic Massage, 151 Liberty Lane, Ringgold, Georgia 30736, 423-580-2504. Ms. Gibson has been giving the plaintiff Kimberly Morell massages to relieve the pain in her neck and back.

g. Michelle Allyn, PT, Siskin Hospital Outpatient Services, One Siskin Plaza, Chattanooga, Tennessee 37403, 423-634-1300. Ms. Allyn is the physical therapist that was ordered by Dr. Hoffman after the epidural injections but prior to the Botox injections.

h. William Ramsey, Sr., 6743 Shirley Pond Road, Chattanooga, TN 37341, 423-240-0491. Mr. Ramsey is the father of the plaintiff Kimberly and is aware of the circumstances of the wreck and would be expected to testify on how the wreck and injuries received have affected her.

i. William Ramsey, Jr., 6727 Crooked Cove Way, Ooltewah, TN 37363, 423-344-1406, 423-902-9303. Mr. Ramsey is the brother of the plaintiff Kimberly. Mr. Ramsey was serving in Iraq at the time of the wreck but the plaintiff Kimberly wrote to him and expressed to him the details of the wreck and the injuries she received.

j. Andrew Byrd, 138 Boynton Terrace, Ringgold, GA 30736, 423-827-2944. Andrew is the son of the plaintiff Kimberly. Andrew has knowledge of the situation and has witnessed what his mother has gone through since the wreck and the injuries she sustained and how they have affected her in her daily activities.

Respectfully Submitted:

/s/

Clifton M. Patty, Jr.

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CERTIFICATE OF SERVICE

I, **Clifton M. Patty, Jr.**, attorney for counsel for the defendant, do hereby certify that I have on this day served a copy of the within and foregoing Plaintiffs' Witness List as to Expectation to Present in Person, by Deposition or May Call upon:

J. Lewis Wardlaw, Esquire
Lee L. Piovarcy, Esquire
International Place, Tower II
6410 Poplar, Suite 1000
Memphis, TN 38119

by mailing a copy of the same to him in an envelope properly addressed with sufficient postage to carry the same to its destination.

This 14th day of August, 2009.

/s/ _____
Clifton M. Patty, Jr.
Attorney for plaintiffs

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